TL 2542

Statement on East Timor

to the

Fourth Committee of the United Nations

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Protection of Human Rights

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Mr Chairman, distinguished delegates
Thank you for the opportunity to address this Committee.
The Anti-Slavery Society for the Protection of Human Rights is deeply concerned about reports of continuing human rights violations in East Timor, which I intend to document, and about the lack of progress towards honouring resolutions passed each year since 1976 by this Committee, which call for ~~the withdrawal of Indonesian troops from East Timor and~~ a genuine act of self-determination to be held there.

To introduce myself, I am a journalist who worked in East Timor for Reuters newsagency for three months in 1975, until I was forced to leave by the Indonesian invasion of December 7 that year. My stay there co-incided with the end of the brief civil war in the territory, during which the Portuguese administration had withdrawn, and the period of de facto administration by the FRETILIN movement. I travelled extensively in the territory, and witnessed the first border incursions by regular Indonesian troops. I was in Dili when five of my colleagues trying to gain information about these border crossings were executed by Indonesian troops, according to eyewitnesses I later interviewed.

Since leaving Timor in 1975 I have monitored the course of events there through close contact with the East Timorese refugee community, who receive information in several forms: firstly, from a constant stream of refugees fleeing Timor for Portugal who bring first-hand information of events there. These refugees pay bribes of up to 2,000 dollars demanded by Indonesian officials for exit papers. Seven hundred arrived in Portugal by [redacted]

these means in 1979 and several hundred have already arrived this year. The most recent refugees arrived in Lisbon less than a month ago. Secondly, regular and detailed information reaches the Timorese community abroad through letters hand-carried from the territory by trusted persons. Finally, some limited information is received through the official postal service, in which all mail is scrutinied by the Indonesian censor.

These are the sources of alternative information about East Timor to that presented by the Indonesian government, which present a picture so at variance with the official view that one can only conclude one of these two parties has something to hide.

Mr Chairman, distinguished delegates

The case of East Timor is a blot on the record of this Committee. Since Indonesia invaded East Timor in 1975, we have witnessed many further violations of the principle of national sovereignty, but this is the only case since World War II where the legal boundaries of a country have been changed by the invading power. And unlike the problematic situation in Cambodia--which is comparable to that of East Timor in terms of human suffering--aid teams and journalists have not been given free access to the country, despite constant international pressure.

A very basic and serious distortion about what happened in East Timor in 1975 persists to this day (and demands correction.) It is that in the closing months of 1975 and in early 1976 East Timor was engulfed in a civil war which cost tens of thousands of lives, and that this war was responsible for the deaths of an estimated 200,000 East Timorese--one third of the population--who (are believed to) have perished in the years since.

It is a distortion accepted by many journalists and regrettably encouraged by the Indonesian government. In 1975 I was one of many foreign journalists, aid workers and other observers in East Timor who knew that the civil war lasted only about three weeks. From mid-September until December 7, 1975 (when Indonesian paratroopers landed in Dili), peace reigned throughout East Timor, with the exception that Indonesian troops were coming over the border in increasing numbers. The death toll from the civil war, as confirmed by the International Committee of the Red Cross was around 1500 and at most 3000.

Although the civil war had engendered much bitterness between Timorese there was, after the victory of FRETILIN, an air of national reconciliation in which many followers of the UDT party who remained in the territory declared to us their willingness to work with the FRETILIN administration, which had set up a civil administration and adopted a co-operative attitude to the ICRC and to foreign journalists, in sharp contrast to the situation which prevails in East Timor today.

Only weeks after I left East Timor, and news of the Indonesian attack on Dili became known to the world, observers were deeply shocked to hear the Indonesian government claim--through a statement made by former UDT leader Francisco Lopes da Cruz, who now worked with them--that 60,000 East Timorese had died 'in the civil war'. This statement, made in February 1976 and later repeated by the then Indonesian Foreign Minister Adam Malik who said that '60,000 or maybe as many as 100,000' East Timorese had died, could only [redacted] be read to mean that initial reports of wholesale massacres during the landing in December 1975 were correct.

Later reports confirmed this shocking view, including those from impartial sources like the Catholic Church, which at the end of 1977 set the death toll as around 200,000. Later sources have claimed as many as half of the original population of 650,000 may have died from executions, bombardment or starvation resulting from the dreadful conditions of the war.

5/ Mr Chairman, distinguished delegates

While Indonesia occupies East Timor, there is no way of knowing the exact numbers who have died since 1975, but we do know we are dealing with a very large number.

The East Timorese community abroad is a community in mourning. Of the approximately 2,000 refugees now living in Lisbon, it is difficult to find one family that is intact.

If we were dealing with past history, perhaps there would be less reason for concern--although this would not change the seriousness of the human rights situation--but we are not. It is my contention that at this very moment gross violations of human rights are continuing in East Timor, that as we sit comfortably in this chamber, despite assertions to the contrary, there are bombs dropping on East Timor, there are people imprisoned and being imprisoned without trial, there are summary executions and rape and there is widespread pillaging by the Indonesian military of millions of dollars of relief supplies sent by various governments and humanitarian organisations to relieve mountain villagers suffering from advanced malnutrition. ~~who have died on mass of starvation in recent years.~~

I will here list some of the more serious violations of human rights which refugees in Lisbon claim are now occuring in East Timor.

The Universal Declaration of Human Rights sets out certain liberties which were proclaimed as "a common standard of achievement for all peoples and nations".

These include the right that no-one should be subjected to arbitrary arrest, detention or exile. A principal reason given by refugees escaping Timor for their flight is that they lack physical security in the presence of Indonesian authorities, and are liable to arbitrary arrest at any time. No such person arrested is given the right of a public trial.

"The right to privacy, free correspondence and freedom from arbitrary interference with family and home" proclaimed in the Declaration of Human Rights is constantly violated in Timor. There is no free correspondence in or out of the country. All private mail is read by the censor. [redacted] The Indonesian military frequently enter the houses of private citizens without warrant.

The East Timorese currently have no right to freedom of movement either within Timor or in and out of the country. Villagers are prohibited to move from one zone to another except under exceptional circumstances, and thousands of East Timorese who have applied to leave the country to emigrate to Portugal or Australia are denied that right.

Several thousand Timorese in April 1979 put their names on a list collected by International Red Cross of those who would like to leave the country. (Many) have since been stripped of all

civil rights, --their property has been seized and they have been dismissed from employment, causing considerable hardship to the urban population of Dili.

Of the hundreds of refugees who have arrived in Lisbon in the past two years, all will testify that the right of free association is prohibited and that people gathering in public places in groups larger than three are subject to arbitrary arrest.

The East Timorese have no right to receive and impart information through any media regardless of frontiers. It is a punishable offence for an East Timorese to listen to [redacted], (foreign news broadcasts.) [redacted].

East Timorese parents no longer have the right to choose the kind of education that shall be given to their children. They are forced to send their children to schools where they must speak a [redacted] language foreign to Timor, as a result of which many Timorese children have avoided attending schools since 1975, although in some cases [redacted] have been able to attend clandestine schools run in [redacted] (Portuguese or) Tetum, the main indigenous language of Timor.

Mr Chairman, distinguished delegates

The picture I am presenting to you, drawn from firsthand testimony of East Timorese who have lived in great unhappiness under the Indonesian occupation is of the absence of a rule of law and the [redacted] violation of internationally-recognised human rights at every level.

This is the picture of widespread human suffering which exists in East Timor today. There is another side to this picture: the organised resistance of the population to Indonesian rule, and the determination of the East Timorese not to adjust to this repressive regime.

Soon after the invasion of Timor, observers predicted the resistance would be crushed within a few months, given the superiority of numbers and equipment of Indonesian forces against the nationalist guerillas.

In the years since, the fortunes of the guerillas has ebbed and flowed. Until late 1977 FRETILIN appeared to control most areas outside the urban centres. A series of Indonesian offensives during 1978 and 1979 reduced their strength considerably and threatened their very existence.

How, after all, could a peasant army which had received no outside assistance whatsoever in five years of fighting continue against such terrible odds?

Once again, the predictions were wrong. Although an important phase of the resistance ended with the death of FRETILIN president Nicolau Lobato in late '78, a re-organised movement has emerged.

Early this year, refugees arriving in Lisbon and letters smuggled from Dili spoke of renewed and fierce fighting between guerillas and Indonesian troops in the whole of the eastern zone, where they claimed the resistance had temporarily seized some Indonesian posts and carried off vital weapons. The story came from several independent sources, which claimed also that guerilla raids on the outskirts of Dili had forced the Indonesian army to declare a state of alert. Information arriving more recently filled out the picture, describing how the eastern revolt had been aided by a defection of several hundred Timorese troops, with their weapons, from the Indonesian militia unit HANSIP.

Latest reports from refugees interviewed claim that fighting is continuing in the eastern region to their knowledge, which is nevertheless limited by the fact that travel to this zone is prohibited. Guerilla hideouts there are regularly bombed by the Indonesian air force, they claim.

10/ Mr Chairman, distinguished delegates

Following the eastern uprising more dramatic news reached Lisbon around August. It was of an attack on Dili itself by the resistance on the night of June 9/10. There are many eyewitnesses to this attack now in Lisbon. They say that on this night guerillas came down from the mountains south and south-west of Dili and struck five points. They engaged Indonesian troops in an exchange of fire until dawn, inflicting some casualties before returning to the mountains. The Indonesian military was thrown into a state of panic. Several days later, army [redacted] sources in Jakarta acknowledged these events to Reuters newsagency, claiming four of their soldiers had been killed.

A series of harsh reprisals against the population of Dili, including many arrests, followed, [redacted] with reinforcements of Indonesian troops and equipment arriving overland from the Lospalos region and by sea from Indonesia.

If, five years after Indonesia initially claimed to have total control of East Timor, guerilla units (no matter how small, and I do not wish to exaggerate their size, which witnesses claim could be anything between 30 and several hundred men) can strike at the very capital with impunity, which the Indonesian government has admitted, how can we speak of 'adjusting to the realities' of Indonesian rule in Timor?

Since all the predictions about East Timor's capacity to resist have proved wrong, it is difficult to make new predictions, or see a way out of the international stalemate expressed im the continuation of the war, on the one hand, while, on the other, UN resolutions aimed at bringing peace to Timor are endlessly repeated but unheeded.

In this context the decision of Portugal, the administering power, to take a new initiative on East Timor is to be welcomed, and it is hoped it will recdive the full co-operation of member states invited to participate in negotiations, including Indonesia.

Portugal has promised to consult representative Timorese groups. This Committee has heard differing viewpoints presented by several East Timorese groups here, but there is one certainty: all are deeply opposed to Indonesian rule and support an act of self-determination. Only the Timorese can decide their political future, although the Committee should note the widespread popular support [redacted] FRETILIN was seen to have in 1975, while recognising the claims of other groups.

Given the many false predictions about Timorese ability to resist, it is to be hoped,too,that attempts will be made to avoid false solutions which will not bring a lasting peace to Timor. Any solution which does not involve consulting with those leading the guerilla struggle in Timor, no matter how [redacted] few and isolated they might be would, from my experience, be seen as ignoring the will of the East Timorese people.

Before concluding, I would like to make a brief note on my sources of information, which run contrary to many other accounts.

Refugees interviewed have described a regular charade which occurs when foreign visitors are in Timor. Bombers are grounded, soldiers become civilians and war materiel is hidden and the population is forbidden on pain of imprisonment from speaking to foreign visitors.

This is a further reason why any negotiations must involve (in keeping with UN resolutions) an attempt to make contact with mountain-based guerillas to draw an alternative picture of conditions since 1975, and to create a situation in which any Timorese can freely give information to whoever seeks it. A ceasefire arrangement and a fact-finding international mission would seem to be essential steps in this direction.

Mr Chairman, distinguished delegates

I do not believe the aspirations of the East Timorese have changed since I first interviewed them in 1975. Like people all over the world, they seek political freedom. They have been cruelly robbed of it, and their resistance to political enslavement is one of the most outstanding and heroic in recent history. As the people of the Warsaw ghetto fought in the rubble until their bare hands, so the people of Timor continue to fight against outstanding odds, inspired by national unity and to defend a long and proud tradition of struggling for liberty. They deserve all our respect and support, and the urgent attention of this Committee.

Thank you